

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

FEDERAL TRADE COMMISSION,

Case No.: 09-6329 T

Plaintiff,

-vs-

ANSWER

PAUL NAVESTAD, et al.,

Jury Trial Demanded

Defendants.

CHINTANA MASPAKORN, by her attorney Philip B. Abramowitz, Esq., for her Answer to the Complaint, states as follows:

1. ADMIT so much of paragraphs 1, 4, and 9 as state that the Federal Trade Commission (“FTC”) is a Federal regulatory agency with enumerated statutory investigatory, regulatory compliance, and enforcement powers;

2. DENY paragraphs of the Answer numbered: 5, 6, 8, 10, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 40, 41, 42, 43, 44, 45, 46, 49, 50, 51, 52, 53, 54, 55, 57, and 60.

3. DENIES KNOWLEDGE OR INFORMATION SUFFICIENT TO FORM A BELIEF AS TO paragraphs of the Answer numbered: 7, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 39, 47, 48, 56, 58, and 59.

4. DENY each and every allegation in the Complaint, not hereinbefore specifically

admitted, controverted, and denied.

AS AND FOR A FIRST AFFIRMATIVE DEFENSE

5. The Complaint fails to state a Claim upon which relief can be granted.

AS AND FOR A SECOND AFFIRMATIVE DEFENSE

6. Chintana Maspakorn is a citizen of the county of Thailand.
7. Chintana Maspakorn resides and is domiciled in Thailand.
8. Chintana Maspakorn has no residence or domicile in the United States, nor does she have any ongoing casual presence in the United States.
9. Chintana Maspakorn has no property, income or assets in the United States.
10. The Complaint should be dismissed under the doctrine of *forum non conveniens*.

AS AND FOR A THIRD AFFIRMATIVE DEFENSE

11. Repeats and realleges paragraphs 6 through 10 above.

12. The Court is without subject matter jurisdiction over this foreign national.

WHEREFORE, defendant Chintana Maspakorn, respectfully requests that the Complaint be dismissed, with the costs and disbursements of this action, and such other and further relief as may be just and proper in the premises.

Dated: March 29, 2010
Williamsville, NY

s/Philip B. Abramowitz

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